

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 09-265
v.	*	SECTION: "L"
ROBERT COMFORT		

* * *

FACTUAL BASIS

If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

On August 13, 2009, the defendant, Robert Comfort, telephonically contacted the National Veterans Suicide Crisis Hotline (NVSCH), which is located in Canandaigua, New York, and spoke with Roxann Miller, who is an NVSCH responder. Comfort identified himself as a retired Navy Seals Special Operations [*sic*] and stated that he was homicidal and suicidal. He stated that he had plans to tamper with and/or destroy three government buildings within a 15-mile radius of New Orleans, Louisiana, and specifically stated that he would "knock out the electrical power" of these buildings. He made several references to the "terror soft rule" but would not elaborate on its meaning. In addition, he stated that he had explosives and several guns; that he was at "critical mass"; that he wanted "to die by death by cop"; and that he was going to kill all of the people involved in taking his children from him, including his mother-in-law. Comfort ended the telephone

call by stating that he had “to get (his) equipment now and get started.” The telephone number used to place the aforementioned telephone call was (504) 344-0586.

Miller made several attempts to recontact Comfort and finally spoke with him again at approximately 12:05 a.m. EDT on August 14, 2009. Comfort told Miller that he was very depressed and was suffering from post-traumatic stress disorder, chronic pain, and chronic depression. Once again, he ended the telephone call by stating that he had “to get (his) equipment ready.”

It was determined that the aforementioned telephone number was subscribed to by Robert Comfort, with an address of 4209 Page Drive, Metairie, Louisiana. The information was forwarded to the Jefferson Parish Sheriff's Office (JPSO). JPSO deputies were dispatched to the aforementioned address and met with Richard Koper, who is the defendant's brother-in-law. Koper advised that the defendant resided at 3712 Green Acres Road, Metairie, Louisiana. After meeting with Koper, JPSO deputies arrived at Comfort's residence but were unsuccessful in establishing contact with him. JPSO Sergeant Monie was eventually able to open a window of this residence, at which point an unidentified male stated that he was going to open the front door. Subsequently, Comfort opened the front door and was secured by the deputies.

The defendant was interviewed by JPSO deputies and denied making the telephone call to NVSCH. The defendant further advised that he did not know the whereabouts of his cellular telephone. JPSO deputies were given verbal authorization by the defendant to search his residence, but the cellular telephone was not located. Comfort was eventually arrested by JPSO on five outstanding attachments for his arrest that had been issued in Jefferson Parish, Louisiana.

On August 18, 2009, Comfort gave written consent to search his residence for the cellular telephone. Later that day, Federal Bureau of Investigation Special Agent Leonard Carollo searched the defendant's residence and located a silver Motorola cellular telephone in the room in which the defendant was sleeping prior to his arrest. He powered on the cellular telephone and confirmed that one of the last dialed calls was to telephone number (800) 273-8255, which is the National Suicide Prevention Hotline.

Read and Approved:

ROBERT COMFORT
Defendant

Date

GARY SCHWABE
Defense Counsel

Date

TRACEY N. KNIGHT
Assistant United States Attorney

Date